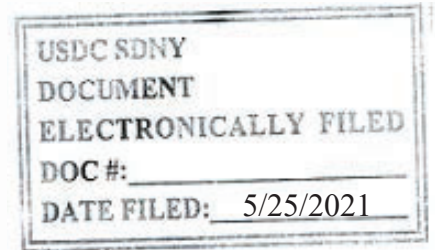


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
JOHN CIOFALO,	:	
	:	S1 20 Cr. 597 (NSR)
Defendant.	:	
	:	
-----	x	

WHEREAS, on or about December 4, 2020, JOHN CIOFALO (the "defendant"), was charged in a one-count superseding Information, S1 20 Cr. 597 (NSR) (the "Information"), with transmission of wagering information, in violation of Title 18, United States Code, Section 1084 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of a sum of money equal to \$5,000 in United States currency, representing proceeds traceable to the commission of said offense;

WHEREAS, on or about December 4, 2020, the defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United

States Code, Section 2461(c), a sum of money equal to \$5,000 in United States currency, representing proceeds traceable to the commission of said offense;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, Acting United States Attorney, Assistant United States Attorney Jim Ligtenberg, of counsel, and the defendant, and his counsel, Kerry Lawrence, Esq., that:

1. As a result of the offense charged in Count one of the Information, to which the defendant pled guilty, a money judgment in the amount of \$5,000 in United States currency (the "Money Judgment"), representing proceeds traceable to the commission of said offense, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, JOHN CIOFALO, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza,

New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.


7. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more

counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

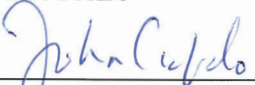
AGREED AND CONSENTED TO:

AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York

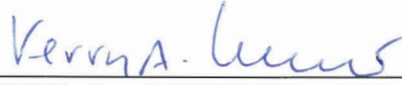
By: 
JIM LIGTENBERG
Assistant United States Attorney
300 Quarropas Street
White Plains, NY 10601
(914) 993-1953

December 4, 2020
DATE

JOHN CIOFALO

By: 
JOHN CIOFALO *by name with express permission*

12-4-2020
DATE

By: 
KERRY A. LAWRENCE, ESQ.
Attorney for Defendant
Calhoun & Lawrence, LLP
81 Main Street, Suite 504
White Plains, NY 10601

12-4-2020
DATE

SO ORDERED:


HONORABLE NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE

5/25/2021
DATE